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SUBJECT: Meeting with INEC National Chairman Guobadia

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[11](#). (SBU) Summary: Independent National Electoral Commission (INEC) Chairman Dr. Abel Guobadia believes that the upcoming Local Government Area elections will go well and that the National Assembly will release budgeted funds to INEC sooner this year, allowing for proper funding of programs. The chairman again blamed INEC problems on funding and passed the buck on several issues to the State Independent Electoral Commissions. End Summary

Relationship of INEC to SIEC

[12](#). (SBU) Desk officer for Nigeria Dan Epstein, along with Pol/Econ Counselor Maxstadt, Poloff Werner, and Aidoff Wright, met with INEC Chairman Dr. Abel Guobadia on February 9. Dr. Guobadia evaded questions about the upcoming Local Government Area (LGA) elections, saying they are managed by the State Independent Electoral Commissions (SIECs). Guobadia said the National Voters Register had been completed before the April 2003 general elections, and sent to the SIECs. He mentioned that the SIECs had a potentially more serious problem with funding: while INEC receives funding directly from the Presidency, SIECs rely on funds passed by the Presidency to the governors, and each governor funds his state's SIEC as he sees fit. In addition, Guobadia stated that the SIECs appoint and select all presiding officers, so INEC cannot be held accountable for their actions or training. All that said, Guobadia expected the LGA elections to proceed fairly smoothly. He said he could not comment on the recent elections in Niger and Sokoto States nor on the dispute over whether elections conducted in newly created LGAs in those states would stand. He said newly created LGAs were a constitutional issue to be resolved by the presidency. We will report on all LGA elections after they are conducted on March 27.

Election Tribunals

[13](#). (U) Guobadia seemed frustrated by the need for INEC to appear in every election tribunal case. This has had a serious impact on INEC staffing and funds, and Guobadia estimated that 40 percent of all 1000 plus seats in the 2003 general elections had been challenged. When asked about how INEC reconciled its non-partisan "honest broker" role with its role of defending cases in Nigeria's adversarial legal system, Guobadia was quick to state that INEC only presents documents and defends the announced results, not actions taken or not taken during the election. 85 percent of tribunal cases were thrown out in the first round for technicalities, but he thought the Appeals Courts were moving beyond technicalities (in the cases that remain). He stated that a handful of election results had been overturned, mainly due to candidate's not having the required qualifications. Guobadia believed that most other cases would be resolved over the next three months. The Buhari presidential tribunal, however, could go to the Supreme Court. In the handful of overturned cases, by-elections have been ordered, but currently a party cannot field another candidate if the original candidate was disqualified by the election tribunal, although this is being challenged in court.

Funding and Staffing Issues

[14](#). (U) Guobadia believed that the way to avoid problems in the 2007 elections revolved around receiving sufficient funding for INEC. Guobadia said that INEC has already proposed its funding needs to the National Assembly, but still awaits confirmation. The FY 2003 budget allocation was more than 1 billion naira (about \$7.4 million), but INEC has only received 250 million

naira from the presidency to date. While declaring his appreciation for USG funding for INEC's implementing partner, IFES, Guobadia asked that the USG do whatever it can to push funding from the GON. He said that the funding delay in 2002 affected the start of voter registration, which then pushed back all other INEC initiatives for the 2003 elections. He believed that legislators now understand the problems the lack of funds had caused and probably will not make the same mistakes in 2007.

15. (U) Guobadia seemed unconcerned about staffing issues, even the controversial use of ad hoc staff in the running of elections. He agreed that the recent by-election in Abuja went well without ad hoc staff, but said INEC would continue using ad hoc staff for future elections, and he expects to be able to train more of them better in time for the 2007 general elections.

The Future -----

16. (U) Guobadia said INEC still has not started updating the national voter register, although they hope to have a computer database functional by mid-2004. Guobadia hopes to integrate fingerprint matching in the database by 2007. In addition to a more advanced voter register, Guobadia hoped to change the Electoral Law to allow absentee ballots.

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